

REMARKS

Applicants have amended claim 49 so that the presently claimed invention is more clearly defined. Support for the amendment can be found on pages 4-7 and pages 128-142 where embodiments of the present invention include liquid compositions that do not contain builders and on page 97 where "builders" as defined by the Applicants are provided.

Applicants have deleted abbreviated chemical names from claim 70. Applicants have also amended claim 73 to further limit the subject matter from the independent claim it depends from. No new matter has been added by this amendment. Entry is believed to be proper and respectfully requested.

Upon entry of this amendment, Claims 49-88 are pending. No additional claim fee is due.

RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

In a telephonic interview with Examiner on August 12, 2004, Applicants' attorney provisionally elected, with traverse, cyclodextrin as the odor control agent for examination purpose.

Applicants' attorney hereby affirms the election without traverse.

OBJECTIONS & REJECTIONS**Claim Rejection under 35 USC §112**

The Examiner maintains the rejection of claim 49 under 35 USC 112, second paragraph for the reason stated in the previous Office Action of March 1, 2004, wherein Examiner stated that the phrase "effective amount to provide a fabric with at least one of the following fabric care benefits . . ." does not recite the effective amount of what. Examiner further states that it is not clear what applicants intend to exclude by the phrase "free of any builder".

Applicants point out that claim 49 clearly states the function to be achieved and the component associated with said effective amount for said function (See Claim 49 (A) and (B)). Applicants also point out that the negative limitation "free of any builder" is now clearly defined and fully supported by the original specification (See page 97 of the Specification).

As such, Applicants believe the rejection has been overcome. Withdrawal of the rejection is respectfully requested.

The Examiner maintains the rejection of claim 49 under 35 USC 112, second paragraph for the reason stated in the previous Office Action of March 1, 2004, wherein

Examiner stated that essential elements (i.e., specific salts of metals) are omitted, citing MPEP §2172.01 (entitled "Unclaimed Essential Matter"). Examiner further states that the use of parenthesis is indefinite because it is unclear whether the limitations therein are part of the claimed invention.

Applicants point out that the "salts of metals" limitation has been deleted. Applicants also point out that it is clear to a person of ordinary skill in the art that the subject matters within the parentheses are merely abbreviated names of the chemicals preceding the left parentheses. However, in an effort to advance the prosecution and to focus on remaining issues, Applicants have deleted the abbreviated chemical names along with the parentheses.

As such, Applicants believe the rejection has been overcome. Withdrawal of the rejection is respectfully requested.

Claim Rejection under 35 USC §102(b) and §103 over Burzio et al.

The Examiner maintains the rejection of claims 49, 54-56, 60-63, 69, 71-73, 76, 79, 84-88 under 35 USC §102(b) as being anticipated by US 5,496,494, to Burzio et al. (hereinafter referred to as "Burzio") for reasons stated in Office Action of March 1, 2004.

Applicants point out that Burzio is directed to a zeolite-based dry/solid detergent. Applicants submit that Burzio does not anticipate the presently claimed invention because Burzio is not directed to a composition that is a liquid composition that does not contain specific builders, including zeolites. Therefore, Burzio does not anticipate the presently claimed invention.

Applicants further points out that Burzio is directed to reducing the build-up of incrustations on fabrics and washing machines with zeolite-based detergents. There is no teaching or suggestion in Burzio of a zeolite-free composition. Moreover, Burzio includes co-builders, such as carbohydrates, to reduce the incrustation build up with the zeolite-based detergent (col. 1, lines 47-52 and 56-60). Since Burzio's co-builder is added for the purpose of correcting the negative effects caused by the builder, a person of ordinary skills in the art would not be motivated by Burzio to add such agent to a zeolite-free composition. Therefore, Applicants submit that the presently claimed invention is patentable over Burzio.

Based on the foregoing, Applicants submit that the rejections have been overcome. Reconsideration and withdrawal of the rejections are respectfully requested.

Claim Objection

Examiner objects to Claim 73 as being improper dependent form for failing to further limit the subject matter of a previous claim.

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Accordingly, Applicants have amended claim 73.

Withdrawal of this objection is respectfully requested.

Specification

Examiner rejects the Specification under 35 USC 112, first paragraph regarding the informality of the phrase "free of any builder".

Applicants point out that the embodiments of the present invention disclosed on pages 4-7 and on pages 128-142 encompass compositions that are liquid or solid, with or without builders. Applicants call the Examiner's attention to the embodiment disclosed on page 5, lines 11-17 which is directed to a liquid composition, in addition to oligosaccharides disclosed on page 3, optionally comprising other ingredients including cyclodextrin and a liquid carrier, but no builders. Applicants further point out "builders" and liquid carrier have been clearly defined on page 97 and page 113 of the Specification, respectively.

Withdrawal of this objection is respectfully requested.

Claim rejection under 35 USC §112

Examiner rejects claim 49 under 35 USC 112, first paragraph for lack of basis for the claim limitation "said composition is free of any builder".

Applicants point out that the embodiments of the present invention disclosed on pages 4-7 and on pages 128-142 clearly encompass compositions that are liquid and free of builders.

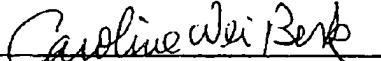
Withdrawal of this rejection is respectfully requested.

CONCLUSION

Applicant believes the present amendment is fully responsive and places Claims 49-88 in condition for allowance.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicant's undersigned attorney to discuss any remaining issues.

Respectfully Submitted,
FOR: Barnabas et al.


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